

MINUTES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

JUDGE: Hon. Robert J. Shelby

COURT REPORTER: Ed Young

COURTROOM DEPUTY: Mary Jane McNamee

INTERPRETER:

CASE NO. 20-md-2977 RJS-CMR

In Re: Broiler Chicken Grower Antitrust Litigation

Approved by: _____

APPEARANCE OF COUNSEL

Pla Gary Smith, Eric L. Cramer, Melinda R. Coolidge

Dft Kevin A. Cyrulnik, Sabrina Baig, Amy Sherry Fischer – for Pilgrim’s Pride; David Munkittrick,
Adam C. Doverspike, Tara Bailey – for Sanderson Farms

DATE: 4/17/2023

MATTER SET: Status Conference & Motion Hearing

DOCKET ENTRY:

Counsel appear via ZOOM. The court gives an update on the case and sets the following dates/deadlines as to the class certification motion: Counsel will hold July 12-14, 2023 and August 2-4, 2023, for possible in person hearing dates. The court requests that counsel confer and agree upon a hearing date. If counsel cannot agree upon a date, the court will select a hearing date.

The court addresses docket entries [435] Plaintiffs’ Motion for Preliminary Approval of Settlement with Sanderson and for Certification of the Settlement Class and [436] Plaintiffs’ Motion for Approval of the Form and Manner of Class Notice and Appointment of Class Administrator. As to the settlement administrator, the court finds Plaintiff has successfully managed the notice plan of prior settlement and provided a declaration, docket entry [436-1] describing the contemplated notice program. The court finds Plaintiff has carefully identified the correct legal stand under Rule 23, under applicable 10th Circuit Case Law. The court also finds Plaintiff has satisfied the initial burden they carry to obtain the relief sought in both motions [435] and [436]. The court enters the orders with one modification, which includes the following dates –

Commencement of Direct Notice to the Class	30 days after an Order approving the Notice Plan- May 17, 2023.
Commencement of Publication Notice to the Class	30 days after an Order approving the Notice Plan- May 17, 2023.
Submission of motion for attorneys' fees and expenses	75 days after an Order approving the Notice Plan- July 3, 2023.
Deadline for Class Members to Opt Out of the Class or Object to the Settlement	105 days after an Order approving the Notice Plan- July 31, 2023.
Plaintiffs' Notice to the Court Identifying Persons or Entities Requesting Exclusion from the Class and Completion of the Notice Program	115 days after an Order approving the Notice Plan- August 10, 2023.
Submission of motion and memorandum in support of final approval of the Settlement Agreements and any responses by parties to any objections filed by any Class members	115 days after an Order approving the Notice Plan- August 10, 2023.
Fairness Hearing	August 25, 2023, at 2:00 p.m. Central Time.
Claims Deadline	240 days after an Order approving the Notice Plan- December 13, 2023.

The court also sets the following briefing schedule as to motion(s) for summary judgment: motions for summary judgment deadline 9/15/2023, opposition memos deadline 11/7/2023 and reply memo due 12/5/2023.

The court will also hold Status Conference on 8/25/2023 at 2:00 p.m (CST), with a joint status report due by 8/11/2023.

The court notes the sealing motions are before Magistrate Judge Romero.